

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MICHAEL COMMISKEY,
Plaintiff,
v.
EQUIFAX, INC., et al.,
Defendants.

Case No. 16-CV-01497-LHK

**ORDER DIRECTING PARTIES TO
FILE UPDATED JOINT CASE
MANAGEMENT STATEMENT**

On June 15, 2016, Defendants SunTrust Mortgage, Inc. (“SunTrust”); Homeward Residential, Inc. (“Homeward”); Wells Fargo, N.A. (“Wells Fargo”); and Equifax, Inc. (“Equifax”) filed a case management statement in advance of the June 22, 2016 initial case management conference. ECF No. 45. The statement, however, fails to comply with Civil Local Rule 16-9, the rule governing the filing of joint case management statements.

Specifically, the case management statement at issue was filed unilaterally, without participation from Plaintiff or from the remaining Defendants in this action—PNC Bank, National Association (“PNC”) and Pacific Credit Services, Inc. (“PCS”). From the Court’s review of the record, a summons was issued as to all Defendants on March 29, 2016, ECF No. 5, but it appears that neither PNC nor PCS have yet been served.

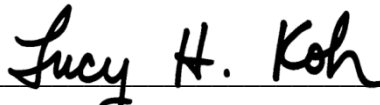
Defendants' case management statement also fails to specify any proposed dates for fact discovery, expert discovery, the filing of dispositive motions, the pretrial conference, or trial.

Accordingly, the Court ORDERS the parties to file an updated joint case management statement by June 20, 2016, at 10 a.m. This statement should:

- Reflect the input of both Plaintiff and all Defendants who have been served.
- Specify whether PNC and PCS have been served. If PNC and PCS have not been served, Plaintiff must state when PNC and PCS will be served.
- Include proposed deadlines for the completion of fact and expert discovery, the filing of dispositive motions, the final pretrial conference, and trial.
- Indicate whether Homeward's pending motion to dismiss, ECF No. 26, is now moot because, according to Homeward, the parties have settled Plaintiff's claims as to Homeward, ECF No. 45 at 7.

IT IS SO ORDERED.

Dated: June 16, 2016.



LUCY H. KOH
United States District Judge